

**REMARKS**

Reconsideration and allowance of this subject application are respectfully requested.

Applicant draws attention to the Information Disclosure Statement filed on December 23, 2002. Applicant has not yet received an initialed copy of the PTO-1449 form submitted with this Information Disclosure Statement and request that one be provided to the undersigned with the next Office Action. Another Information Disclosure Statement has been submitted along with this response. An initialed PTO-1449 form for that Information Disclosure Statement is also requested.

Applicant notes with appreciation the Examiner's allowance of claims 49-57, 60-66, 68-75, and 77-79. However, the Examiner notes a minor formality with claims 49, 66, 77, 115 and 118. From the Examiner's suggestion, these claims have been amended to delete the phrase "that may be." This Amendment should overcome the Examiner's objection to these claims.

Claims 115, 116, and 118-121 stand rejected under 35 §102(e) as allegedly being anticipated by newly cited U.S. Patent 6,324,165 to Fan et al. This rejection is respectfully traversed.

The filing date of the Fan patent is September 5, 1997. The provisional application filing date from which priority is claimed in the instant application is July 25, 1997—before the filing date of Fan.

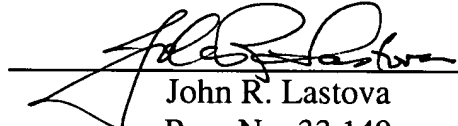
As explained in 35 U.S.C. §119(e)(1), "an application for patent ... disclosed ... in a provisional application ... shall have the same effect, as such invention, as though filed on the date of the provisional application." 35 U.S.C. §102(e)(1) requires that an invention be described in the patent application "before the invention by Applicant for patent." Because the filing date of the instant date precedes the filing date of the Fan patent, the Fan patent is not prior art.

Applicant respectfully submits that the present application is now in condition for allowance. An early notice to that effect is earnestly solicited.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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